

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2201.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION AND MISBRANDING OF GRENADIN SYRUP.

On June 27, 1912, the United States Attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Bettman-Johnson Co., a corporation, Cincinnati, Ohio, alleging shipment by said company, in violation of the Food and Drugs Act, on or about May 26, 1911, from the State of Ohio into the State of Texas of a quantity of grenadin syrup which was adulterated and misbranded. The product was labeled: "Grenadin Syrup. Guaranteed by the manufacturers under Serial No. 2161 to comply with the National Pure Food and Drugs Act of June 30, 1906."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: Solids, refractometer, 65.5 per cent; reducing sugars as invert, before inversion, 38.20 per cent; non-sugar solids, 1.03 per cent; sucrose, Clerget, 26.27 per cent; commercial glucose (factor 163), none; polarization, direct temperature at 25° C., +17.0° V.; polarization, invert temperature at 25° C., -17.2° V.; polarization, invert 87° C., 0.0; ash, 0.033 per cent; total acids as citric, 0.343 per cent; color, artificial, Orange I; benzoates, absent. Adulteration of the product was alleged in the information for the reason that a certain substance, to wit, a solution of sugar and water, artificially colored and flavored, was mixed and packed as, for, and with the product so as to reduce, lower, and injuriously affect its quality and strength, and further, in that a certain substance, to wit, a solution of sugar and water, artificially colored and flavored, was substituted for grenadin syrup. Misbranding was alleged for the reason that the label and brand on the product bore a statement regarding it and the ingredients and substances contained therein which statement, to wit, "grenadin syrup," was false, misleading, and deceptive in that it purported and represented the article to be a genuine grenadin syrup, whereas, in truth and in fact, it was not so, but was a solution of sugar and water, artificially colored and flavored

and containing only an infinitesimal quantity, if any, of the juice of the fruit of the pomegranate. Misbranding was alleged for the further reason that the product was labeled and branded so as to deceive and mislead the purchaser thereof, in that by its label and brand it purported and was represented to be a genuine grenadin syrup, whereas, in truth and in fact, it was not so, but was a solution of sugar and water, artificially colored and flavored and containing only an infinitesimal quantity, if any, of the juice of the fruit of the pomegranate.

On November 8, 1912, the defendant company entered a plea of nolo contendere to the information and the court imposed a fine of \$25, with costs of \$14.75.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *January 13, 1913.*

